

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DWYAIN B. EDWARDS

v.

MARMAXX OPERATING CORPORATION;
TJX COMPANIES, INC.; and JEANNE
PIERRE ORIGINALS, INC.

v.

BENJAMIN MAZER TRUCKING, INC.

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CIVIL ACTION

No. 13-6602

ORDER

AND NOW, this 28th day of December, 2015, upon consideration of the Motion for Summary Judgment of defendants TJX Companies, Inc. ("TJX") and Marmaxx Operating Corp. ("Marmaxx"), plaintiff's Response in Opposition, defendants' Sur-Reply to Plaintiff's Response in Opposition, plaintiff's Supplemental Response in Opposition, defendants' Sur-Reply in Support of Motion for Summary Judgment, plaintiff's Response in Opposition to Defendants' Sur-Reply in Support of Motion for Summary Judgment, plaintiff's Response in Opposition to Defendants' Sur-Reply Motion for Summary Judgment, plaintiff's Motion Addressing *Gutschall v. Metropolitan Edison* in Opposition to Defendants' Memorandum of Law in Support of Summary Judgment, and defendants' Supplemental Sur-Reply Brief in Support of Motion for Summary Judgment Regarding *Gutschall v. Metropolitan Edison*, and for the reasons stated in the accompanying memorandum of today's date, it is **ORDERED** that:

1. Defendants' Motion for Summary Judgment (paper no. 55) is **GRANTED**.
2. Plaintiff's common law negligence claim against TJX and Marmaxx is **DISMISSED**.
3. This Order pertains to plaintiff's common law negligence claim against TJX and Marmaxx only.

/s/ Norma L. Shapiro

J.